



Agenda Notice

Mayor Her Worship Mayor Cr Danielle Slade (Chair)

Councillors Deputy Mayor Cr Phil Barwick
Cr George Fortune
Cr Kim Coghlan
Cr Mick Tully
Cr Paul Stretton
Cr Peta MacRae

Notice is hereby given that the Ordinary Meeting of the Mount Isa City Council will be held at the Council Chambers, 23 West Street, Mount Isa on Wednesday, 9 September 2020 commencing at 12:00 pm.

Council Meeting Agenda is attached.

Sharon Ibardolaza
Chief Executive Officer

Dated: 7 September 2020
Copied to: Staff required to attend.

*Local Government Regulation 2012, Chapter 8 Administration
Part 2 Local government meetings and committees*

274 Meetings in public unless otherwise resolved

A meeting is open to the public unless the local government or committee has resolved that the meeting is to be closed under section 275.

275 Closed meetings

(1) A local government or committee may resolve that a meeting be closed to the public if its councillors or members consider it necessary to close the meeting to discuss—

- (a) the appointment, dismissal or discipline of employees;
- (b) industrial matters affecting employees; or
- (c) the local government's budget; or
- (d) rating concessions; or
- (e) contracts proposed to be made by it; or
- (f) starting or defending legal proceedings involving the local government; or
- (g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; or (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

(2) A resolution that a meeting be closed must state the nature of the matters to be considered while the meeting is closed.

(3) A local government or committee must not make a resolution (other than a procedural resolution) in a closed meeting.

Agenda Contents

Item 1 - Opening of the Meeting / Attendance and Apologies / Acknowledgement of Country

Chair to open the meeting, welcoming those in attendance.
Chair to make note of attendance and apologies for the record of the minutes.
Chair to provide the meeting with an acknowledgement of country.

Item 2 - Council of Clergy Prayer

Council of Clergy Representative Natalie Steele of the Salvation Army to provide the meeting with a prayer.

Item 3 - Public Forum

The business of the Agenda is suspended by the Chair to give the public in attendance the opportunity to address the Council.

Item 4 - Conflict of Interest / Material Personal Interest

Councillors are invited to declare any interests in relation to the Agenda, including any late items presented. Councillor interests are noted against the relevant items by the Minutes Clerk for action during the meeting.

Item 5 - Deputations

5.1 Ms Vickie Glanville - Mount Isa Metal Recyclers

Folder ID 6435

Details of Deputation

Containers for Change Scheme update.

Item 6 - Previous Council Meeting Minutes

6.1 – 26 August 2020 Ordinary Meeting Minutes

Folder ID 6435

Chair Mayor, Cr Danielle Slade

Executive Summary

Minutes of the Ordinary Meeting held 26 August 2020 presented to Council to be confirmed.

Officer's Recommendation

THAT the Minutes of the Ordinary Meeting held on 26 August 2020, as received, be confirmed.

Item 7 - Development and Land Use - Cr George Fortune

7.1 - Application to Purchase Unallocated State Land

Folder ID 365709 – 04327-908000-000 & 04327-91200-000

Provided by Senior Land Use Officer, Donna Real

Executive Summary

The Department of Natural Resources, Mines and Energy has requested Council's views or requirements in relation to an application to purchase the land described as Lot 2 on Survey Plan 246463.

Officer's Recommendation

THAT Council SUPPORT this application to freehold the land described as Lot 2 on Survey Plan 246463 subject to the following conditions:

1. Council request an easement to protect Council's existing water infrastructure located on the northern boundary of Lot 2 SP246463; and

2. The State must advise potential buyers that the lot is listed on the Environmental Management Register (EMR) in full disclosure as per the requirements of the *Environmental Protection Act 1994*; and
3. A disclosure must be made to potential buyers that future land use will be restricted to non-sensitive uses unless the lot is removed from the EMR/CLR; and
4. An environmental clean-up of accumulated waste on the lot must be undertaken to remove the risk of environmental harm being transferred to Council; and
5. The applicant must obtain all the necessary planning and building approvals prior to any building or operational works occurring at the premise.

7.2 - Development Application for a Material Change of Use for a Residential Dwelling House and Ancillary Residential Outbuildings

Folder ID 117767

Provided by Cadet Planning Officer, Connor Ahnfeldt

Executive Summary

Council has received a Development Application for a Material Change of Use for a Dwelling House at 36 Marian Street, Mount Isa, described as Lot 90 on plan MPH13993.

Officer's Recommendation

THAT Council APPROVE the Development Application for a Material Change of Use for a residential Dwelling House, and ancillary residential outbuildings, at 36 Marian Street, Mount Isa, described as Lot 90 on plan MPH13993, subject to the following conditions of approval:

NUMBER	CONDITION	TIMING
PLANNING		
1.	The development shall be carried out generally in accordance with the approved plans and drawings attached to this approval except where conditions of this approval dictate otherwise. <i>For clarity, any change to the development that is not generally in accordance with the approved plans and drawings must be approved by Council pursuant to a 'change application' under Chapter 3, Part 5, Division 2, Subdivision 2 of the Planning Act 2016;</i>	<i>At all times</i>
2.	The owner/developer shall bear the cost of all alterations necessary to public utility mains, services or installations necessitated by this approval and such works shall be to Council specifications and satisfaction;	<i>At all times</i>
3.	The owner shall lodge an application with a Private Building Certifier to change the Building Classification of the existing Caretakers Dwelling and Commercial Workshop to reflect their use as a residential Dwelling House and ancillary residential outbuilding respectively;	<i>Within three (3) months from the date of this approval</i>
4.	Where any gates are proposed along the front boundary, such gates shall not exceed 1.8m in height and shall be at least 50% visually permeable so as not to obstruct views of the Dwelling and front landscaping from the street. Any gates situated along the road boundary must open INWARDS onto the applicant / owner's property and NOT outwards onto Council's road reserve / verge;	<i>At all times</i>
5.	The owner shall adequately maintain the established onsite landscaping to promote and sustain healthy robust growth to Council satisfaction for the life of the	<i>At all times</i>

	development. The landscaping shall not become overgrown and/or unsightly at any time;	
ENVIRONMENTAL SERVICES		
6.	<p>The operator must achieve the 'general environmental duty' to mitigate any environmental harm and/or nuisance described under the <i>Environmental Protection Act 1994</i>.</p> <p>(a) There is no discharge to land or water of contaminants that may harm the environment or create a nuisance from the operation of the activity;</p> <p>(b) There is no discharge to air of contaminants that may harm the environment or create a nuisance from the operation of the activity;</p> <p>(c) Noise nuisance is prevented or minimised at noise sensitive places;</p> <p>(d) Waste production and disposal must be minimised, and waste must be managed so it does not harm the environment or create a nuisance from the operation of the activity;</p>	<i>At all times</i>
TECHNICAL SERVICES		
7.	The owner/applicant shall ensure that the dwelling unit number is clearly displayed on the dwelling unit entrance and letter box;	<i>At all times</i>
8.	The owner/applicant shall ensure that the property mailbox is contained on the boundary of the allotment (not in the road reserve) and easily accessible to mail delivery services. The mailbox is to be compliant with Australia Post standards for letterboxes;	<i>At all times</i>
9.	The owner/applicant shall ensure that a minimum of 2.5m straight clear path is kept uninhibited by landscaping or other verge development (other than turf) along the verge directly in front of the subject site;	<i>At all times</i>
10.	Stormwater runoff from roof and paved areas of the development site are to be collected internally and directed to a legal point of discharge. Ensure non-worsening of the existing flow regime to properties that are upstream and downstream of the site;	<i>At all times</i>
11.	The owner/developer shall ensure safe vehicular access is maintained to the site and that the sealed driveway within the verge area is maintained to a safe standard for pedestrian traffic.	<i>At all times</i>

7.2 - Material Change of Use for Dual Occupancy (2 x Detached Dwellings)

Folder ID 117542

Provided by Planning Officer, Jason Newell

Executive Summary

Council has received an application for a Material Change of Use for a Dual Occupancy (2 x Detached Dwellings) at 99 East Street, described as Lot 15 on plan MPH14000.

Officer's Recommendation

THAT Council APPROVE the Material Change of Use for a Dual Occupancy (2 x Detached Dwellings) at 99 East Street, described as Lot 15 on plan MPH14000; subject to the following conditions:

NUMBER	CONDITION	TIMING
PLANNING		
General		
1.	<p>The development shall be carried out generally in accordance with the approved documents, plans and drawings attached to this approval except where conditions of this approval dictate otherwise.</p> <p><i>For clarity, any change to the development that is not generally in accordance with the approved plans and drawings must be approved by Council pursuant to a 'change application' under Chapter 3, Part 5, Division 2, Subdivision 2 of the Planning Act 2016</i></p>	<i>At all times</i>
2.	The owner/developer shall bear the cost of all alterations necessary to public utility mains, services or installations necessitated by this approval and such works shall be to Council specifications and satisfaction.	<i>At all times</i>
3.	Any gates situated along the road boundary must open inwards onto the applicants/owner's property and not outwards onto Council's road reserve/verge.	<i>At all times</i>
Amenity		
4.	<p>Private Open Space Areas:</p> <p><u>Proposed Residence 2</u> (existing dwelling):</p> <ul style="list-style-type: none"> (a) The nominated private open space is to be directly accessible from the main living area; and (b) nominated private open space area to be covered (keeping in mind building regulations relating to boundary clearance). <p><u>Proposed Residence 1:</u></p> <p>The private open space for Residence 1 is to be relocated to the front of the dwelling to achieve the below requirements.</p> <p>The private open space area must:</p> <ul style="list-style-type: none"> (a) Have a single area of at least 16m² per dwelling; and (b) Have a minimum width of 4.0m; and (c) Has an area with dimensions of at least 3.0m x 4.0m that is completely covered for sun and weather protection; and (d) Has a maximum gradient of 1 in 10; and (e) Is fenced or screened to protect privacy between adjacent dwellings; and (f) Does not have air-conditioning units or other services located in this space; and (g) Is provided with access to a tap. <p>An amended floor plan is to be lodged for Council approval showing the above requirements prior to the commencement of any building works.</p>	<i>Prior to commencement of building works</i>
5.	A double window is required to be installed along the street frontage of the living room for Proposed Residence 1 to break up the blank street façade. An amended floor and elevation plan to be submitted to Council prior to any building work commencing.	<i>Prior to commencement of building works</i>

6.	The existing solid Colorbond fence and gates along East Street to be either reduced to 1.5m in height or the top 300mm replaced with a material that is greater than 50% transparent;	<i>Prior to commencement of use and maintained at all times</i>
7.	The attached carport of Proposed Residence 1 is to remain open and shall not be enclosed at any time during the life of the development without the prior approval of Council. This includes the proposed installation of any roller doors or tilt-a-door.	<i>At all times</i>
8.	Development is to incorporate window tints (on all new windows) or install window hoods or eaves that protrude at least 600mm from the window when measured perpendicular to the window;	<i>Prior to commencement of use</i>
9.	Hardwired outdoor lighting shall be installed to each individual unit's pedestrian entry for security and night-time identification;	<i>Prior to commencement of use</i>
10.	All wheelie bins shall be placed on the Council's verge for collection days and removed from the verge as soon as practicable;	<i>As specified</i>
11.	Services and utilities such as air conditioner units, hot water systems, garbage bin storage areas and clothes lines are not to be visible from public view.	<i>At all times</i>
Landscaping		
12.	Prior to work commencing, the owner/applicant is required to provide a landscaping plan indicating the redistribution of the onsite landscaping to also be located in the private open spaces of <u>both</u> units for Council Approval;	<i>Prior to commencement of works</i>
13.	A total of 15% of the site area is to be allocated to soft landscaping (approx. 100m ²). Landscaping of the verge must take into consideration Condition No. 29 of this approval. Additionally, the owner will be responsible for the installation and ongoing maintenance of the front verge as part of this approval. Note: The southern boundary buildings clearance (with the except of the area directly in front of the rear carport) are not considered areas suitable for landscaping and are not to be taken into the landscaping calculation. These areas are to have a pervious material laid to allow for stormwater drainage.	<i>As specified.</i>
14.	The owner/developer shall install an automatic water irrigation system to all landscaping (including the landscaping situated on the road verge) to promote healthy robust growth;	<i>As specified.</i> <i>At all times</i>
15.	The owner/developer shall adequately maintain the landscaping and irrigation system (including the cost of water) in accordance with the Approved landscaping plan and ensure it is neat and tidy at all times and not overgrown and/or unsightly;	<i>As specified.</i> <i>At all times</i>
16.	The ongoing maintenance of all landscaping and automatic irrigation system is to form part of the requirements in any future Community Management Statement	<i>As specified</i>
Environmental Services		
17.	The operator must achieve the 'general environmental duty' to mitigate any environmental harm and/or nuisance described under the <i>Environmental Protection Act 1994</i> .	<i>At All Times</i>

	<p>(e) there is no discharge to land or water of contaminants that may harm the environment or create a nuisance from the operation of the activity</p> <p>(f) there is no discharge to air of contaminants that may harm the environment or create a nuisance from the operation of the activity</p> <p>(g) noise nuisance is prevented or minimised at noise sensitive places</p> <p>(h) Waste production and disposal must be minimised and waste must be managed so it does not harm the environment or create a nuisance from the operation of the activity.</p>	
18.	Construction/demolition waste – All waste generated because of the proposed development must be effectively controlled and contained entirely within the boundaries of the site before disposal. All waste is to be disposed of in accordance with the <i>Environmental Protection (Waste Management) regulation 2000</i> .	<i>During Construction</i>
19.	<p>Prevent / minimise the emission of noise that causes, or is likely to cause, environmental nuisance at any nuisance sensitive or commercial place.</p> <p>All work must be undertaken within the prescribed timeframe as mentioned in <i>Environmental Protection Act 1994</i>, i.e. on a business day or Saturday, between 6.30am and 6.30pm.</p>	<i>During Construction</i>
ENGINEERING		
General		
20.	At all times, mailboxes are to be contained in a single structure on the road frontage adjoining the main pedestrian entry to the site, not within the road reserve.	At all times
21.	A designated refuse storage area is to be screened from the street by a 1.8m visually impermeable screen, surfaced with an impervious material and is to be accessible by a hose-cock for washing down.	<i>Prior to commencement of use</i>
22.	<p><i>Prior to commencement of use</i>, the development shall be supplied with adequate connections to water, sewer, electricity and telecommunications networks.</p> <p>The following works shall not occur without the additional relevant Council approvals:</p> <ul style="list-style-type: none"> (a) Any works within the road reserve (b) Connections/alterations to Council's trunk mains (c) Alterations to a water meter 	<i>Prior to commencement of use</i>
23.	At all times, the owner/developer shall ensure that any paved/sealed surfaces are slip-resistant, stable and trafficable in all weather conditions.	<i>At all times</i>
Filling and Excavation		
24.	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	<i>At all times</i>
25.	<p>At all times, the developer is to ensure that:</p> <ul style="list-style-type: none"> (a) Filling does not exceed 0.3 metres above <i>natural ground level</i> at any point 	<i>At all times</i>

	<p>(b) Excavation or filling does not change existing <i>ground levels</i> by 1 metre or more of any part of the land or where any drainage paths are affected.</p> <p>(c) Where earthworks result in a ground surface level at the boundary of an allotment which differs by more than 100 millimetres from the ground surface level at the corresponding location on an <i>adjoining lot</i>, a retaining structure is to be provided, either to retain the new work to prevent collapse onto <i>adjoining land</i>, or to retain the pre-existing earth material on <i>adjoining land</i> to prevent collapse.</p> <p>(d) Retaining structures which are equal to or more than 1-metre-high are to be constructed in accordance with a design certified by a RPEQ.</p> <p>(e) Erosion and sedimentation controls are implemented in accordance with the Engineering works and services planning scheme policy.</p> <p>(f) The final surface of the <i>site</i> is topsoiled, sloped, drained and vegetated or otherwise treated to minimise erosion, infiltration and to prevent ponding of stormwater.</p> <p>(g) Rehabilitation ensures that the <i>site</i> is stable and poses no threat to ground or surface water quality.</p>	
Access, Grades, Maneuvering, Carparks and Signs		
26.	<p>The development shall be limited to two (2) driveways/crossovers. Driveways shall be constructed to a standard as defined on IPWEA Standard drawings RS-049 and RS-050. Driveways shall be consistent with 'Type 6' dimensions.</p> <p>The developer is required to apply for a 'Works on Council Property' approval prior to undertaking any works within the road reserve.</p> <p>The developer shall ensure a safe and smooth transition between the driveway and the existing pedestrian footpath as per IPWEA Standard drawings RS-049 and RS-050.</p>	<p><i>Prior to commencement of use, prior to commencement of works.</i></p>
Stormwater		
27.	<p><i>Prior to commencement of use and then to be maintained</i> the developer is to ensure:</p> <p>(a) Stormwater runoff from roof and paved areas of the development site are to be collected internally and directed to a legal point of discharge</p> <p>(b) Non-worsening of the existing flow regime to properties that are upstream and downstream of the site</p> <p>(c) Water does not pond on any land</p>	<p><i>Prior to commencement of use and then to be maintained</i></p>
Water		
28.	A second water meter to be installed by Council to service the second dwelling at the developer/owner's cost.	<i>As specified</i>
Sewerage		
29.	A new sewer connection for proposed new dwelling to be provided by Council at the owner's cost. The new tapping location will be provided on the East Street frontage	<i>As specified</i>
Works on Footpath		
30.	At all times, any landscaping installed in the road reserve shall be compliant with the following:	<i>At all times</i>

	(a) As per the Mount Isa City Council Road Reserve Policy (b) Ensure a minimum of 3.0m clear width is provided (incorporating the existing footpath) along the entire frontage to allow for future shared path installation	
COMPLIANCE WITH CONDITIONS		
31.	The owner/developer shall contact Council to arrange a compliance inspection of the property to assess compliance with the Assessment Manager's Conditions of Approval and the approved plans.	<i>Prior to commencement of use</i>

Item 8 - Works and Construction - Cr Mick Tully

8.1 - Engineering Services, Monthly Report – August 2020

Folder ID 4650

Provided by A/Director Engineering Services, Christopher Johnstone

Executive Summary

August 2020 Engineering Services Monthly Report presented to Council for information and consideration.

Officer Recommendation

THAT Council receives and accepts the August 2020 Engineering Services Monthly Report.

Item 9 - Beautification, Parks and Gardens - Cr Kim Coghlan

9.1 - Parks and Gardens Monthly Report – August 2020

Folder ID 5512

Provided by Acting Director Engineering Services, Christopher Johnstone

Executive Summary

August 2020 Parks and Gardens Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the August 2020 Parks and Gardens Monthly Report.

Item 10 - Tourism, Events, Sport and Recreation, Library - Cr Peta MacRae

10.1 - Library Monthly Report - August 2020

Folder ID 4650

Provided by Coordinator Library Services, Lois Huston

Executive Summary

August 2020 Library Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the August 2020 Library Monthly Report.

10.2 – Tourism and Events Monthly Report – August 2020

Folder ID 4650

Provided by Promotion and Development Coordinator, Jodie Sully

Executive Summary

August 2020 Tourism and Events Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the August 2020 Tourism and Events Monthly Report

10.3 – NQSF Resource and Performance Agreement

Folder ID 5108

Provided by Community Development Officer, Petra Osinski

Executive Summary

The North Queensland Sports Foundation (NQSF) introduced a non-compulsory 3 year Resource and Performance Agreement to outline the terms of reference for the provisions of services from the NQSF to Council. The 3 year agreement expired 30 June 2020 is now due for renewal for a further 3 years.

Officer's Recommendation

THAT Council approves the renewal of the Resource and Performance Agreement with the North Queensland Sports Foundation for a further 3 years, expiring 30 June 2023, with a total contribution of approximately \$16901.10 (ex GST) for financial assistance;

AND

THAT Council delegate's authority to the Chief Executive Officer in accordance with the *Local Government Act 2009*, to negotiate and finalise any and all matters relating to the Resource and Performance Agreement.

Item 11 - Environmental Management - Cr Paul Stretton

Nil Reports for Consideration.

Item 12 – Corporate and Financial Services, Economic Development, Promotions and Development - Deputy Mayor, Cr Phil Barwick

Nil Reports for Consideration.

Item 13 – Executive Services – Chief Executive Officer, Sharon Ibardolaza

13.1 – Mount Isa City Council Christmas & New Year Closedown (2020/2021)

Folder ID 5588

Provided by Chief Executive Officer, Sharon Ibardolaza

Executive Summary

Council approval is sought to close the Administration Office, Library, Works Depot, Batch Plant and Material Sales Office for the period between Christmas and New Year.

Officer's Recommendation

THAT Council support closing the Administration Office, Works Depot, Batch Plan, Material Sales Office and Library from close of business 5pm Thursday 24th December 2020 and to re-open Monday, 4th January 2021 on the following grounds:

1. Departments that deliver essential services e.g. Waste Management, Water & Sewer and Local Laws will have a skeleton crew rostered on over the Christmas/New Year period to cover any emergencies and to provide essential services to the City;
2. Directors to determine sufficient support staff for the rostered skeleton crew, as required;
3. Other than Statutory Holidays, time taken off by staff during this period will be either flex-time, RDO, annual leave or a combination of both.
4. Appropriate advertising be arranged.

Item 14 - General Business

14.1 – Correspondence – The Friday Night Debrief

Folder ID 6435

Provided by Mayor Cr Danielle Slade

14.2 – Mount Isa City Council Youth Portfolio

Folder ID 6435

Provided by Mayor Cr Danielle Slade

Council may adjourn briefly prior to commencing Closed Business

Item 15 – Confidential Reports

15.1 – Library Master Plan Consultancy

Folder ID 22154

Provided by Building, Facilities and Insurances Manager, Peter Weiss

Executive Summary

Council invited quotations for a consultancy service for the Library Master Plan on the 4th July 2020 and the quotations were closed at 2pm on Tuesday, 28th July 2020.

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with *Section 275(1)(e) of the Local Government Regulation 2012*, which permits the meeting to be closed to the public for business relating to the following

(e) *"contracts proposed to be made by it".*

15.2 – Printing and distribution of Rate Notices and Associated Services

Folder ID 18807

Provided by Manager Corporate and Financial Services, Philip Mason

Executive Summary

As part of Council acquiring best value for money in providing various services, it was determined that the printing and distribution of rate notices and related services both for property and water rates and charges go through a formal tender process which has now occurred.

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with *Section 275(1)(e) of the Local Government Regulation 2012*, which permits the meeting to be closed to the public for business relating to the following

(e) *"contracts proposed to be made by it".*

15.3 – Audit and Risk Management Committee Meeting Minutes dated 21 May 2020

Folder ID 4960

Provided by Director Corporate and Financial Services, Karren McClure

Executive Summary

Mount Isa City Council appointed an Audit and Risk Management and Committee whose primary objective is to assist Council in fulfilling its corporate governance role and oversight responsibilities relating to accounting and reporting practices imposed under the Local Government Act 2009, and other relevant legislation. The Committee approved the 21 May 2020 Audit and Risk Management Committee Meeting Minutes on 20 August 2020.

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with *Section 275(1)(h) of the Local Government Regulation 2012*, which permits the meeting to be closed to the public for business relating to the following

(h) *"other business for which a public discussion would be likely to prejudice the interests of the local goverment or someone else, or enable a person to gain a financial advantage".*

Meeting close